

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

WESLEY DAVIS,

Petitioner,

v.

CIV 06-1069 MV/KBM

TIMOTHY HATCH, Warden, et al.,

Respondents.

**ORDER ADOPTING MAGISTRATE JUDGE'S
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

The Magistrate Judge filed her Proposed Findings and Recommended Disposition on February 9, 2007. *See Doc. 9.* The proposed findings notify Petitioner of his ability to file objections and that failure to do so waives appellate review. To-date, Petitioner has not filed any objections and there is nothing in the record indicating that the proposed findings were not delivered.

Wherefore,

IT IS HEREBY ORDERED THAT:

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 9*) is ADOPTED;
2. The § 2254 petition is dismissed with prejudice as without merit; and
3. A final order enter concurrently herewith.



CHIEF UNITED STATES DISTRICT JUDGE